



TRANSMITTAL LETTER			Case No. 12182/3
Serial No. 10657,013	Filing Date October 1, 2003	Examiner Not Assigned	Group Art Unit Not Assigned
Inventor(s) BENJAMIN L. BAKOS			
Title of Invention SANDWICHED SIZED POTATO CHIPS			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Information Disclosure Statement (in dup.), PTO 1449, and return post card.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Petition for a \_\_\_\_\_ month extension of time.
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra
Total		Minus		
Indep.		Minus		
First Presentation of Multiple Dep. Claim				

Small Entity		or	Other Than Small Entity	
Rate	Add'l Fee		Rate	Add'l Fee
x \$9 =			x \$18 =	
x 43 =			x \$86 =	
+ \$145 =			+ \$290 =	
Total add'l fee	\$		Total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$ \_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

*David W. Okey*

David W. Okey  
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 16, 2003.

Date:

*Dec 16, 2003*

Signature:

*David W. Okey*

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on



*December 14, 2003*

Date of Deposit

David W. Okey, Reg. No. 42,959

Name of Applicant, Assignee or  
Registered Representative

*David W. Okey*

Signature

*Dec 14, 2003*

Date of Signature

Our Case No.: 12182/3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

BENJAMIN L. BAKOS

Serial No.: 10/677,013

Filing Date: October 1, 2003

For: SANDWICHED SIZED POTATO  
CHIPS

Examiner: Not Assigned

Group Art Unit No.: Not Assigned

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on the attached Form PTO-1449 be considered by the Examiner and made of record.



The references now cited are the following:

No.	Date	Name
77,995	5/19/1868	Marshall, et al.
1,806,302	12/31/1928	Margill et al.
4,277,510	7/7/1981	Wicklund et al.
4,362,754	12/7/1982	Wenger et al.
4,806,377	2/21/1989	Ellis et al.
4,879,125	11/7/1989	Pak
4,743,455	5/10/1988	Nichols
4,765,998	8/23/1988	Pak et al.
4,985,269	1/15/1991	Irvin et al.
5,236,727	8/17/1993	Huston
5,370,898	12/6/1994	Zussman
5,401,522	3/28/1995	Reeg
5,505,978	4/9/1996	Roy et al.
5,558,886	9/24/1996	Martinez-Bustos et al.
5,822,888	10/20/1998	Terry
5,919,509	7/6/1999	Cremers et al.
5,928,701	7/27/1999	Jensen et al.
6,251,465 B1	6/26/2001	Bello et al.
6,339,727 B1	1/15/2002	Ladd
6,602,533 B1	8/5/2003	Smith et al.
RE29,773	9/19/1979	Wisdom et al.
2002/0122852A1	9/5/2002	Zimmerman et al.
2003/0010219A1	1/16/2003	Janecka

In accordance with 37 C.F.R. § 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to

these material, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

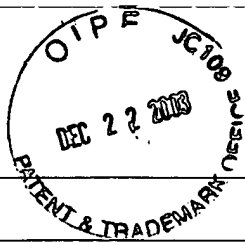
Applicant(s) respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,

 Dec 16, 2003

David W. Okey  
Registration No. 42,959  
Attorney for Applicant(s)

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FORM PTO-1449	SERIAL NO. 10/677,013	CASE NO. 12182/3
<b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b>	FILING DATE October 1, 2003	GROUP ART UNIT Not Assigned
(use several sheets if necessary)	APPLICANT(S): Benjamin L. Bakos	

#### REFERENCE DESIGNATION

#### U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	77,995	5/19/1868	Marshall, et al.		
	A2	1,806,302	12/31/1928	Margill et al.		
	A3	4,277,510	7/7/1981	Wicklund et al.		
	A4	4,362,754	12/7/1982	Wenger et al.		
	A5	4,806,377	2/21/1989	Ellis et al.		
	A6	4,879,125	11/7/1989	Pak		
	A7	4,743,455	5/10/1988	Nichols		
	A8	4,765,998	8/23/1988	Pak et al.		
	A9	4,985,269	1/15/1991	Irvin et al.		
	A10	5,236,727	8/17/1993	Huston		
	A11	5,370,898	12/6/1994	Zussman		
	A12	5,401,522	3/28/1995	Reeg		
	A13	5,505,978	4/9/1996	Roy et al.		
	A14	5,558,886	9/24/1996	Martinez-Bustos et al.		
	A15	5,822,888	10/20/1998	Terry		
	A16	5,919,509	7/6/1999	Cremers et al.		
	A17	5,928,701	7/27/1999	Jensen et al.		
	A18	6,251,465 B1	6/26/2001	Bello et al.		
	A19	6,339,727 B1	1/15/2002	Ladd		
	A20	6,602,533 B1	8/5/2003	Smith et al.		
	A21	RE29,773	9/19/1979	Wisdom et al.		
	A22	2002/0122852A1	9/5/2002	Zimmerman et al.		
	A23	2003/0010219A1	1/16/2003	Janecka		

#### FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
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#### OTHER ART – NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIAL	(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.
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EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.